

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Edwin C. Sevane, :
Plaintiff, :
: :
v. : File No. 2:10 CV 302
: :
Commissioner of Social Security, :
Defendant. :
:

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed September 15, 2011. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

The Commissioner's Motion for Order Affirming Decision (Doc. 9) is **DENIED** and Plaintiff's Motion To Reverse Decision of SSA (Doc. 5) is hereby **GRANTED, IN PART**, in that the matter is remanded for a new hearing to reassess the evidence and further development of the record. The portion of Plaintiff's motion seeking an award of benefits and a remand for a calculation of benefits is **DENIED**. It is further ordered that the portion of Plaintiff's motion consisting of an unsubstantiated request that the case be assigned to a different ALJ and that time limits be specified on remand is **DENIED**.

Dated at Burlington, in the District of Vermont, this 4th day of October, 2011.

/s/ William K. Sessions III
William K. Sessions III
U.S. District Court Judge